NAME

KAREN SARKISSIAN

PRISON IDENTIFICATION/BOOKING NO.

67607-112

ADDRESS OR PLACE OF CONFINEMENT

FDC SEATAC

PO. Box 13900, Scattle, WA 98198

Note: If represented by an attorney, provide name, address, & telephone number. It is your responsibility to notify the Clerk of Court in writing of any change of address.

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, CASE NUMBER: 2:24-cv-07241-JLS Plaintiff, CV To be supplied by the Clerk of the United States District Court ٧. 2:13-CR-00719-PSG CR Criminal case under which sentence was imposed. FULL NAME OF MOVANT (Include name under which you were convicted) MOTION TO VACATE, SET ASIDE, OR Petitioner. CORRECT SENTENCE BY A PERSON IN FEDERAL CUSTODY 28 U.S.C § 2255 Karen Sarkissian

INSTRUCTIONS - READ CAREFULLY

This motion must be legibly handwritten or typewritten and signed by the movant under penalty of perjury. Any false statement of a material fact may serve as the basis for prosecution and conviction for perjury. All questions must be answered concisely in the proper space on the form. Where more room is needed to answer any questions use reverse side of sheet.

Additional pages are not permitted. No citation or authorities need be furnished. If briefs or arguments are submitted, they should be submitted in the form of a separate memorandum.

Upon receipt, your motion will be filed if it is in proper order. NO FEE is required with this motion

If you do not have the necessary funds for transcripts, counsel, appeal, and other costs connected with a motion of this type, you may request permission to proceed *in forma pauperis*, in which event you must execute the declaration on the last page, setting forth information establishing your inability to pay costs. If you wish to proceed *in forma pauperis*, you must have an authorized officer at the penal institution complete the certificate as to the amount of money and securities on deposit to your credit in any account in the institution.

Only judgments entered by one court may be challenged in a single motion. If you seek to challenge judgments entered by different judges or divisions either in the same district or in a different district, you must file separate motions as to each judgment.

Your attention is directed to the fact that you must include all grounds for relief and all facts supporting such grounds for relief in the motion you file seeking relief from any judgment of conviction.

When the motion is fully completed, the original and three (3) copies must be mailed to the Clerk of the United States District Court, whose address is 255 East Temple Street, Suite TS-134, Los Angeles, California 90012.

MOTION

1. Name and location of court that entered judgment of conviction under attack: United States	
District Court for the Central District of California	
Date of judgment of conviction: November 9, 2021	
Length of sentence: 57 months Sentencing judge: Hon. Philip S. Gutier	RREZ
Nature of offense or offenses for which you were convicted:	
What was your plea? (check one)	
■ Not guilty	
□ Guilty	
□ Nolo Contendere	
Kind of trial: (check one)	
✓ Jury ☐ Judge only	
Did you testify at the trial?	
☐ Yes ► No	
Did you appeal from the judgment of conviction?	
¥ Yes □ No	

9.	If yo	ou d	id appeal, answer the following:					
	(a) Name of court United States Court of Appeals for the Ninth Circuit							
			ult					
	(c)]	Date	of result May 23, 2023					
10.			han a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, ions, or motions with respect to this judgment in any federal court?					
			Yes 🕱 No					
11.	-		answer to question number 10 was "yes," give the following information: Name of Court					
		(2)	Nature of proceeding					
		(3)	Grounds raised					
		(4)	Did you receive an evidentiary hearing on your petition, application, or motion?					
			□ Yes □ No					
		(5)	Result					
		. ,	Date of result					
	(b)	` ,	Name of Court					
		(2)	Nature of proceeding					
		(3)	Grounds raised					
		()						
		(4)	Did you receive an evidentiary hearing on your petition, application, or motion?					
			□ Yes □ No					
		(5)	Result					
		(6)	Date of result					
	(c)	(1)	Name of Court					
		(2)	Nature of proceeding					
		(3)	Grounds raised					
		(4)	Did you receive an evidentiary hearing on your petition, application, or motion?					
			☐ Yes ☐ No					

	(5) Result
	(6) Date of result
(d)	Did you appeal, to an appellate federal court having jurisdiction, the results of action taken on any petition, application, or motion?
	(1) First petition, etc.
	(2) Second petition, etc. ☐ Yes ☐ No
	(3) Third petition, etc. ☐ Yes ☐ No
(e)	If you did not appeal from the adverse action on any petition, application, or motion, explain briefly why you did no

12. State concisely every ground on which you claim that you are being held unlawfully.

CAUTION: If you fail to set forth all grounds in this motion, you may be barred from presenting additional grounds at a later date. For your information, the following is a list of the most frequently raised grounds for relief in this type of proceeding. Each statement preceded by a letter constitutes a separate ground for possible relief. You may raise any grounds that you have, whether listed below or not. However, you should raise in this motion all available grounds (relating to this conviction) on which you base your allegations that you are being held in custody unlawfully.

If you select one or more of the grounds listed below for relief, you must allege facts in support of the grounds you select. The petition will be returned to you if you merely check (a) through (j) or any one or more of these grounds without alleging facts in support.

- (a) Conviction obtained by plea of guilty that was unlawfully induced or not made voluntarily or with understanding of the nature of the charge and the consequences of the plea.
- (b) Conviction obtained by use of coerced confession.
- (c) Conviction obtained by use of evidence gained pursuant to an unconstitutional search and seizure.
- (d) Conviction obtained by use of evidence obtained pursuant to an unlawful arrest.
- (e) Conviction obtained by violation of the privilege against self-incrimination.
- (f) Conviction obtained by the unconstitutional failure of the prosecution to disclose to the defendant evidence favorable to the defendant.
- (g) Conviction obtained by a violation of the protection against double jeopardy.
- (h) Conviction obtained by action of a grand or petit jury which was unconstitutionally selected and impaneled.
- (i) Denial of effective assistance of counsel.
- (j) Denial of right of appeal.

A. Ground one:	See	attacked	Memorandum	of Law and	Facts CEX-A
Supporting facts (tell yo	our story brie	efly without citin	g cases or law):		
B. Ground two:					
Supporting facts (tell ye	our story brie	efly without citin	ng cases or law):		
C. Ground three:	· 4				
Supporting facts (tell ye	our story brid	efly without citir	ng cases or law):		
D. Ground four:					
Supporting facts (tell y	our story bri	efly without citin	ng cases or law):		
If any of the grounds l	isted in 12 A	A, B, C, or D we	re not previously prese	ented, state briefly	what grounds were n
presented, and give you	ur reasons for	r not presenting	them:		
Do you have any petitic	on or appeal	now pending in	any court as to the judg	gment under attack?	?
☐ Yes ☐ No					

15.	Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein: (a) At a preliminary hearing:									
	(b) At arraignment and plea: James Tedford; No plear									
	(c) Attrial: 1st trial: James Spertus and Samuel Josephs 2nd trial: Faisal Gill and aimie Gill									
	(d) At sentencing: 1st sentencing: James Spertus and Samuel Josephs 2nd sentencing: Faisal Gill and aimee Gill (e) On appeal: 1st appeal: Charles Snigder and Reuven Cohen									
	2nd appeal: M. Anthony Brown (f) In any post-conviction proceeding:									
	(g) On appeal from any adverse ruling in a post-conviction proceeding:									
16.	6. Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court approximately the same time?									
	¥ Yes □ No									
	Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack? Yes No									
	(a) If so, give the name and location of the court that imposed sentence to be served in the future:									
	(b) Give the date and length of sentence to be served in the future:									
	(c) Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed sentence to be served in the future?									
	☐ Yes ☐ No									
	WHEREFORE, movant prays that the court grant him all relief to which he may be entitled in this proceeding.									
	Signature of Attorney (if any)									
	I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.									
	Executed on 7-29-2024 Date Signature of Movant									

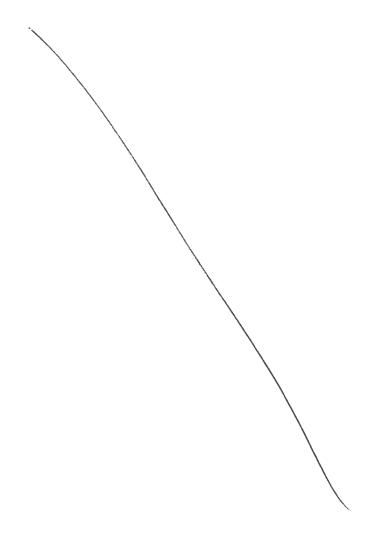


EXHIBIT-A

TRULINCS 67607112 - SARKISSIAN, KAREN - Unit: SET-E-C

EXhibit-1 w Memorandom of Law

FROM: Sarkissian, Suzanne

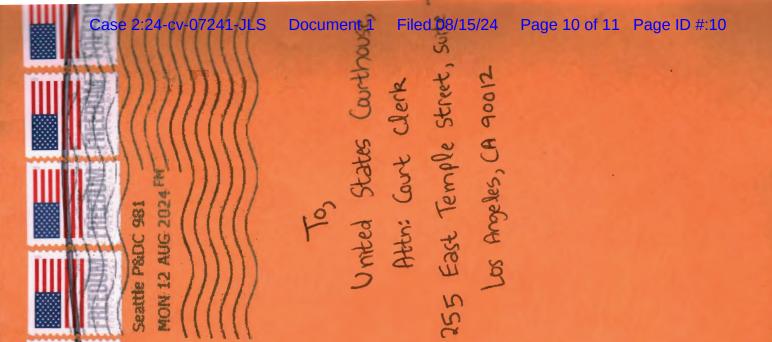
TO: 67607112 SUBJECT: Hello

DATE: 07/31/2024 07:06:07 PM

RE: 2020-5-28 Plea Agreement

This looks just fantastic. There is no assurance that immigration will not initiate removal proceedings but we have a very very strong defense because 1349 requires no overt act. I am fine with this. Please keep me posted on sentencing and if Gary goes into custody I want to stay in touch to be sure that when immigration officers interview him they have a copy of the attached Board decision.

Great work! Best, Stacy



SEATTLE, WA. 98198-1090 Reg. # 67607-112 Unit EC Federal Detention Center Karen Sarkissian P.O. BOX 13900 FROM,

MON 12 AUG 2024 FR

Seattle PSDC 981

LEGAL MAIL

> FEDERAL DETENTION CENTER 2425 SOUTH 200TH STREET SEATAC, WA 98198

THE ENCLOSED LETTER WAS PROCESSED THROUGH SPECIAL MAILING PROCEDURES FOR FORWARDING TO YOU. THE LETTER HAS NEITHER BEEN OPENED NOR INSPECTED. IF THE WRITER RAISES A QUESTION OR PROBLEM OVER WHICH THIS FACILITY HAS JURISDICTION, YOU MAY WISH TO RETURN THE MATERIAL FOR FURTHER INFORMATION OR CLARIFICATION. IF THE WRITER ENCLOSES CORRESPONDENCE FOR FORWARDING TO ANOTHER ADDRESSEE, PLEASE RETURN THE ENCLOSURE TO THE ABOVE ADDRESS.

AUG 1 2024